

DRAFT 2
SUBSTITUTE FOR
HOUSE BILL NO. 5111

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1280f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 1280F. (1) BEGINNING WITH PUPILS ENROLLED IN GRADE 1**
2 **DURING THE 2015-2016 SCHOOL YEAR, EXCEPT AS OTHERWISE PROVIDED IN**
3 **THIS SECTION, IF A PUPIL ENROLLED IN GRADE 3 IN A SCHOOL DISTRICT**
4 **OR PUBLIC SCHOOL ACADEMY ACHIEVES A SCORE OF NOT PROFICIENT IN**
5 **READING ON THE GRADE 3 STATE ASSESSMENT, THE BOARD OF THE SCHOOL**
6 **DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY IN**
7 **WHICH THE PUPIL IS ENROLLED SHALL ENSURE THAT THE PUPIL IS NOT**
8 **ENROLLED IN GRADE 4 UNTIL THE PUPIL ACHIEVES A SCORE OF AT LEAST**
9 **PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.**
10 **(2) IF A CHILD SEEKS TO ENROLL FOR THE FIRST TIME IN A SCHOOL**



1 DISTRICT OR PUBLIC SCHOOL ACADEMY IN GRADE 4, THE SCHOOL DISTRICT
2 OR PUBLIC SCHOOL ACADEMY SHALL NOT ALLOW THE CHILD TO ENROLL IN
3 GRADE 4 UNLESS THE CHILD HAS ACHIEVED A SCORE OF AT LEAST
4 PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.

5 (3) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR
6 CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY GRANTS A
7 GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS OF SUBSECTION (1) FOR A
8 PUPIL, THEN A PUPIL MAY BE ENROLLED IN GRADE 4 WITHOUT MEETING THE
9 REQUIREMENTS OF SUBSECTION (1). A GOOD CAUSE EXEMPTION MAY BE
10 GRANTED ONLY ACCORDING TO THE PROCEDURES UNDER SUBSECTION (4) AND
11 ONLY FOR 1 OF THE FOLLOWING:

12 (A) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
13 READING ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED
14 FOR THIS PURPOSE BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

15 (B) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
16 READING THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING
17 MASTERY OF ALL GRADE 3 STATE READING STANDARDS THROUGH MULTIPLE
18 WORK SAMPLES.

19 (C) THE PUPIL IS A STUDENT WITH A DISABILITY WHOSE
20 INDIVIDUALIZED EDUCATION PROGRAM TEAM DETERMINES THAT THE PUPIL
21 SHOULD NOT BE RETAINED AT GRADE LEVEL BASED ON CONSIDERATIONS
22 RELATED TO THE PUPIL'S DISABILITY.

23 (D) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS
24 HAD LESS THAN 2 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER
25 PROGRAM.

26 (4) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF
27 ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY SHALL GRANT A GOOD CAUSE



1 EXEMPTION UNDER SUBSECTION (3) ONLY THROUGH THE FOLLOWING
2 PROCEDURE:

3 (A) AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR
4 UPON THE TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER
5 SUBMITS TO THE PRINCIPAL OR OTHER CHIEF ADMINISTRATOR OF THE
6 PUPIL'S SCHOOL A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG
7 WITH DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER
8 SUBSECTION (3) APPLIES TO THE PUPIL. THE DOCUMENTATION SHALL
9 CONSIST ONLY OF A STATEMENT IDENTIFYING THE GOOD CAUSE EXEMPTION
10 BEING REQUESTED, THE EXISTING READING IMPROVEMENT PLAN OR
11 INDIVIDUALIZED EDUCATION PROGRAM FOR THE PUPIL, AND THE ALTERNATIVE
12 ASSESSMENT RESULTS OR PUPIL PORTFOLIO RESULTS FOR THE PUPIL, AS
13 APPLICABLE.

14 (B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL
15 DISTRICT, THE PRINCIPAL OF THE PUPIL'S SCHOOL SHALL REVIEW AND
16 DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND
17 SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO
18 RECOMMEND THAT THE GOOD CAUSE EXEMPTION BE GRANTED FOR THE PUPIL.
19 IF THE PRINCIPAL DETERMINES TO RECOMMEND THAT THE GOOD CAUSE
20 EXEMPTION BE GRANTED, HE OR SHE SHALL SUBMIT THAT RECOMMENDATION TO
21 THE SUPERINTENDENT OF THE SCHOOL DISTRICT. THE SUPERINTENDENT OF
22 THE SCHOOL DISTRICT SHALL ACCEPT OR REJECT THE PRINCIPAL'S
23 RECOMMENDATION IN WRITING, AND THE SUPERINTENDENT'S DECISION TO
24 GRANT OR DENY THE EXEMPTION IS FINAL.

25 (C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF
26 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL REVIEW AND DISCUSS
27 THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND SHALL MAKE



1 A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD
2 CAUSE EXEMPTION FOR THE PUPIL. THE CHIEF ADMINISTRATOR'S DECISION
3 IS FINAL.

4 (5) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT
5 RETAIN A PUPIL IN GRADE 3 UNDER THIS SECTION FOR MORE THAN 2 SCHOOL
6 YEARS.

7 (6) WITH THE AGREEMENT OF THE PUPIL'S TEACHER AND THE PUPIL'S
8 PARENT OR LEGAL GUARDIAN, A PUPIL MAY RETAKE THE GRADE 3 STATE
9 READING ASSESSMENT BEFORE GRADE 4 TO ATTEMPT TO ACHIEVE A SCORE OF
10 AT LEAST PROFICIENT IN READING FOR THE PURPOSES OF THIS SECTION.

11 (7) TO FURTHER THE GOAL OF ENCOURAGING READING PROFICIENCY FOR
12 ALL PUPILS BY THE END OF GRADE 3 AND TO HELP ALLOW TEACHERS AND
13 SCHOOLS TO FOCUS ON THIS GOAL, THE DEPARTMENT SHALL NOT INCLUDE A
14 SOCIAL STUDIES COMPONENT ON THE GRADE 3 STATE ASSESSMENT OR ON ANY
15 PILOT OF THAT ASSESSMENT.

16 Enacting section 1. This amendatory act does not take effect
17 unless House Bill No. 5144 of the 97th Legislature is enacted into
18 law.

